

# **Arizona State Board of Acupuncture Examiners**

## **REGULAR MEETING**

**April 27, 2005**

### **Board Members Present:**

Deborah Malone, L.Ac., Chairman  
Toni Karnas, Public Member  
Della Estrada, L.Ac. Professional Member  
Don Nichols, Public Member  
Yong Deng, L.Ac. Professional Member  
Joseph Balensi, L.Ac.

### **Board Members Absent:**

Martha Grout, M.D., Secretary  
Cesar Quintana, Professional Member

### **Attorney General Representative:**

Lisa Burns, Assistant Attorney General

### **Administrative Staff:**

Allen Imig, Executive Director

#### **1. Call to Order**

Chairman Malone called the meeting to order at 1:00 p.m.

#### **2. Board Meeting Minutes - Review, Discussion, and Action**

Mr. Balensi made a motion to approve the 23, 2005 regular meeting minutes. Ms. Estrada seconded the motion. The motion passed unanimously 6– 0.

#### **3. Complaints/Investigations – Review, Discussion and Action**

No Complaints were reviewed.

#### **4. Consideration of Applicants for Licensure – Review, Discussion and Action**

Chairman Malone made a motion to approve licensure for:

Hua Wang  
Brent Timco  
John Montoya  
Renee Pierce

Mr. Nichols seconded the motion. The motion passed unanimously 6– 0.

**5. Consideration of Applicants for Certification – Review, Discussion and Action**

Mr. Nichols made a motion to approve certification for:

Cristina Placencia

Ms. Karnas seconded the motion. The motion passed unanimously 6– 0.

**6. Consideration of Other Applications Review, Discussion and Action**

Continuing Education: Seven hours; The six phases of homotoxicology and Shang Han Lun; Taught by Miki Shima of Heel, Inc.

The Board reviewed the application and supporting documentation. Chairman Malone made a motion to grant seven hours of continuing education for the, The six phases of homotoxicology and Shang Han Lun to be offered on May 15 2005.

Mr. Nichols seconded the motion. The motion passed unanimously 6– 0.

**7. Professional Business – Review, Discussion and Action**

A. Legislation update

There was no discussion

B. Rules update:

The Executive Director reviewed with he Board what the legislative and rule committee discussed at their April 8, 2005 meeting.

The first rule discussed was to amend Rule R4-8-105 Timeframes, to allow the Board to close an application if the applicant does not complete their application within 90 days after an incomplete notice is sent either at the administrative or substantial review phases.

In the discussion, Chairman Malone wanted to be clear that the application fee was not refundable but the licensing fee was.

The second rule discussed was to amend Rule R4-8-309 to delete subsection C, that requires an application to be submitted to the Board for course approval at least 90-days before the course is offered.

The Board agreed the 90-day requirement should be deleted.

The third rule discussed was R4-8-101, defining a letter of concern. The Assistant Attorney General discussed with the Board that the definition should read:

“Letter of Concern” is a non-disciplinary advisory letter to notify the a licensee or certificate holder that there is insufficient evidence to support disciplinary action, but sufficient evidence to notify the licensee or certificate holder of the Board’s concern and that continuation of the activities which led to the concern may result in action against the license or certificate.

“Insufficient evidence” is defined as

- a: you don’t have any evidence to warrant disciplinary action but that continuation may result in action.
- b: That there were de minimis violations but you don’t think disciplinary action should be taken.

There was discussion about the term de minimis violations in that they are generally technical violations but they do not present a threat to public welfare, health, or safety. This gives the Board flexibility when considering possible violations.

The Executive Director will make the necessary changes and bring it back to the Board.

C. Continuing Education Credit from approved training programs R4-8-308(B)

The Board discussed curriculum courses as counting for continuing education credit. The Board agreed that it was acceptable for continuing education credit.

The Executive Director reviewed and discussed new policies and procedures regarding initial licensing and certification.

## **8. Executive Director Report**

The Executive Director reported on the revenue and expenditure report and that projections are right on target.

The Executive Director presented to the Board a list of computer related equipment for purchase before the end of the fiscal year. The Board agreed that the purchase of the equipment would benefit the Board.

## **9. Future Agenda Items**

None were mentioned

**10. Future Meeting Dates**

May 25, 2005

**11. Call to the Public**

There were no requests to speak.

**12. Adjournment**

Mr. Nichols made a motion to adjourn. Mr. Balensi seconded the motion. The motion passed unanimously 6 – 0. The meeting was adjourned at 1:50 P.M.

Respectfully Submitted,

Allen Imig  
Executive Director